

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

James B. Murphy,

Plaintiff,

v.

Mike Hunt, Cpt. Gallam, Lt. Bradley, Cpl.
Harris, Sue Hammock, Sara Ledbetter,
Trinity Service Group, Dr. Williams, Lt.
Bowman, Lt. Clamp, K. Pugh,

Defendants.

Case No.: 0:20-cv-4519-SAL-PJG

ORDER

This matter is before the court for review of the December 22, 2021 Report and Recommendation (the “Report”) of United States Magistrate Paige J. Gossett, made in accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.). [ECF No. 107.] In the Report, the Magistrate Judge recommends that Plaintiff *pro se*’s motion for a temporary or permanent injunction, ECF No. 29, be denied. *Id.* The Report also recommends that Defendant Trinity Service Group LLC’s (“Trinity”) motion to quash service, ECF No. 68, be granted and Trinity be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 4(m). *Id.* No party filed objections to the Report, and the time to do so has expired.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). The court is charged with making a *de novo* determination of only those portions of the Report that have been specifically objected to, and the court may accept, reject, or modify the Report, in whole or in part. 28 U.S.C. § 636(b)(1). In the absence of objections, the court is not required to provide an explanation for adopting the

Report and must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (citing Fed. R. Civ. P. 72 advisory committee’s note).

After a thorough review of the Report, the applicable law, and the record of this case in accordance with the above standard, the court finds no clear error, adopts the Report, ECF No. 107, and incorporates the Report by reference herein. Accordingly, Plaintiff’s motion for a temporary or permanent injunction, ECF No. 29, is **DENIED**, Trinity’s motion to quash service, ECF No. 68, is **GRANTED**, and Trinity is **DISMISSED** without prejudice pursuant to Rule 4(m) of the Federal Rules of Civil Procedure.

IT IS SO ORDERED.

January 12, 2022
Florence, South Carolina

/s/Sherri A. Lydon
Sherri A. Lydon
United States District Judge